

DEMING HEADLIGHT.

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DEMING, GRANT COUNTY, NEW MEXICO, SATURDAY, NOVEMBER 25, 1893.

NO. 47.

C. W. KLAUSMANN,

M. P. MOORE.

THE ★ CABINET

ESTABLISHED 1889.

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DEMING, NEW MEXICO.

GRANT COUNTY COURT

What Has Been Doing At Silver City During the Week.

THE DOCKET ALMOST CLEAR.

Lee Thompson Acquitted of the Charge of Murder—Yee Dan and Joseph Louper Each Get Forty Years for their Crimes—An Immense Amount of Business Disposed of by Judge Field—Court Will Adjourn To-day—Chancery Cases Determined—A Complete Report.

The following criminal cases were disposed of last week and early this week at the district court, in session at Silver City:

In the case of Luciana Shaw, nolle was entered. It will be remembered that this was the woman who killed young Fountain, son of Col. Fountain, of Las Cruces, at Pinos Altos.

Territory vs. Perfecto Rodriguez, assault with deadly weapon. Jury trial and verdict of guilty. Sentence reserved by the court and not yet passed. Other indictments against defendant dropped with leave to re-appear.

Territory vs. Yee Dan, jury trial, verdict of murder in second degree.

Territory vs. "Shorly" Miller, grand larceny of steer, jury trial and acquittal. Territory vs. Charlie Gann, running hotel without license. Jury trial and acquittal.

Territory vs. J. W. Foster, same as above, 8 charges, found guilty and fined \$1.00 and costs.

Territory vs. W. Lee Thompson, murder. Jury trial and found not guilty. In the cases of Edward Burleson, the same were dropped and nolle entered, the death of defendant being suggested.

On Monday District Attorney J. A. Ancha tendered the Court his resignation. The same was accepted and G. D. Bantz appointed as special prosecutor for the term. Wednesday a telegram was received from Gov. Thornton naming Chas. G. Bell as Mr. Ancha's successor. Mr. Ancha has made a valuable official, and his retirement to private practice will cause regret. Mr. Bell will make an able successor, and the appointment gives satisfaction.

A great many civil and several chancery cases have been disposed of, but space forbids detailed enumeration. Several were of great interest, and will be mentioned next week.

Court will adjourn Saturday, with an almost clear docket.

Disposition of cases pending on the criminal docket of Grant county at the November 1893 term of the District Court within and for the said county.

Territory vs. Grundy Ake, assault and battery, Ignacio Ortiz, discharging weapon, Everett Murry, horsestealing, Mart Childers, assault with weapon, Chas. Kammerick, running hotel without license.

Above causes continued with alias.

Territory vs. Andy Johnson, murder. Motion for discharge of defendant overruled.

Territory vs. Frank Miller, grand larceny, jury trial; verdict, "not guilty," defendant discharged.

Territory vs. Alfred Job, Jr., forfeiture of bond taken.

Territory vs. Juan Marraja, drawing deadly weapon, Henry Hotchkiss, drawing and discharging deadly weapon, Antonio Giron, assault being armed, Frank E. Fawcett, murder.

Grand Jury refuses to find a bill in each of above entitled causes. Defendants and sureties on their bonds discharged.

Territory vs. John Galvin, discharging pistol. No bill found.

Territory vs. Lou Neal, murder and horsestealing. Nolle entered.

Territory vs. A. Haldon, drawing deadly weapon, J. A. Potter, drawing and having deadly weapon, Victor Cubert, unlawfully brandishing coil and knowingly buying a stolen coil, H. P. Brooks, unlawfully brandishing a coil, Robert Balwars, unlawfully brandishing a coil.

Grand Jury refuses to find a bill in any of the above entitled causes. Defendants and sureties discharged.

Territory vs. J. H. Warren, plea of guilty. Fine \$10.00 and costs.

Territory vs. N. Cordova, appeal. Continued by consent.

Territory vs. Andy Johnson, murder. Nolle entered. Defendant discharged.

Territory vs. Joe Louper, murder; trial by jury. Verdict, "guilty in the second degree." Sentence suspended. Motion for new trial.

Disposition of Chancery cases: L. J. Hall et al vs. Amer. S. & L. M. Co. Bill to force lien. Order restraining waste of property in custody of court.

J. P. Byron vs. H. S. Holgate et al. Bill to foreclose mortgage. Decree pro confesso. Report of Master affirmed.

E. Smith vs. P. Smith, divorce. Decree pro confesso and order of reference to H. B. Gillett.

H. Rawson vs. M. Rawson, divorce. Decree pro confesso. Referred to F. J. Wright.

Hossey vs. W. B. Foster, foreclosure. Dismissed at plaintiff's cost.

Mrs. W. L. Jackson and John J. Bell appointed members of the Board of Examiners in and for Grant county, vice James S. Fielder and H. H. Betts, term expired.

County Commissioners of Grant county.

ty vs. J. A. Lockhart et al. Order directing apportionment and disbursement of moneys collected under and by virtue of illegal tax levy.

Three Sentences.

Special in the Headlight: Silver City, N. M., Nov. 24—Judge Field this morning sentenced Yee Dan, the Chinese murderer to forty years hard labor in the penitentiary and Joseph Louper to a similar servitude. Perfecto Rodriguez gets one year. The counsel for Yee Dan has appealed.

THE GYMNASIUM.

Another Meeting to be Held for the Advancement of the Project.

All those who are interested in the establishment of a public gymnasium and reading room are requested to meet at the office of B. Y. McKeyes, next Tuesday evening, November 28th, when definite action will be taken.

At the same time, the committee appointed at the recent meeting to estimate probable cost of building and equipping suitable quarters will render its report.

The gymnasium project has been moving along rather slowly on account of the convention and other matters, but the promoters are now ready for earnest work and intend going right ahead.

THE "KID" AGAIN.

This Time He Turns Up Near the Mormon Colonies in Old Mexico, but Commits No Depredations.

Reports from Colonia Juarez received here during the week state that a band of Indians have been camping near the Mormon colonies and it is the general belief among the inhabitants that "Kid" and his rascals are again in that vicinity.

It will be remembered that it is just a little over a year ago when the Thompson family was wiped out of existence by this murderous Apache. The colonists have been warned and are upon their guard. Some are of the opinion that the Indians are the Temochians or Yaquis, who are in sympathy with the revolution now in progress in that vicinity.

NEW DISTRICT ATTORNEY.

J. A. Ancha Resigns and Charles G. Bell Appointed in His Stead.

Last Monday, J. A. Ancha, of Silver City, District Attorney for the Third Judicial District, comprising the counties of Sierra, Grant and Dona Ana, forwarded his resignation to Governor Thornton, who at once accepted the same.

The next day the Governor announced the appointment of Charles G. Bell as his successor. Mr. Bell is one of the best known and efficient attorneys in New Mexico, and no better selection could have been made.

Mr. Bell was formerly Probate Judge of Grant county and last fall served the democratic party faithfully in the capacity of county chairman. He will enter upon the duties of his office at once.

CUSTOM HOUSE CHANGES.

The Deming Appointments Practically Made by the New Collector at El Paso.

Collector Charles Davis has semi-officially announced the Deming appointments for the local custom house.

As predicted by the HEADLIGHT, Judge Seaman Field will be collector and Thomas Hustis, a former resident of this city to the mounted inspectorship.

The new officials will assume their duties about the first of December. Their custom house will very likely be retained in the present quarters in the McGroarty building on Silver avenue.

Shot at the Sergeant.

While the United States troops from Fort Bayard were in this city last Saturday, previous to their departure to the border, a private named McConnell, under the influence of liquor shot at Sergeant Folts, of the First. The aim was bad, and the bullet lodged in the heel of the boot worn by the Sergeant.

McConnell was at once placed under arrest and taken to Silver City.

Arrested for Burglary.

H. Patro, a Mexican, was arrested by Constable McGilchey last Saturday charged with the burglary of Stenson's hardware shop and other petty crimes.

The evidence against him was conclusive. W. Berg, the furniture man and "Pink" Peter were also losers by Patro's depredations.

The accused was taken to Silver City the same day and held to await transportation to the State Prison.

The appointment of Judge Field to the Deputy Collectorship leaves a vacancy in this precinct in the Justice of the Peace office.

The friends of J. B. Hodgdon, who held the office previous to the election of Judge Field, and Louis I. Marshall are urging them to appointment.

Either would make an efficient official.

Edward Pennington is also a candidate with strong endorsements.

The Literary Society.

The semi-monthly meetings of the High School Literary Society which have not been held for some weeks, will be resumed shortly.

WILL TALK IT OVER.

Citizens Will Again Discuss the Subject of Incorporation.

FULL TEXT OF STATUTES.

The Gathering Will be Held in the Opera House Next Tuesday Evening and Will be Addressed by Judge Boone and Others—What the Territorial Laws Provide as Shown by a Re-Publication of the Statutes—Great Interest Being Taken in the Question.

As the provisions of the Territorial Statutes respecting incorporation do not appear to be fully understood by the citizens of Deming, the HEADLIGHT again published the act.

Another public meeting will be held in the Opera House next Tuesday evening, November 28th, at which time Judge Boone and other citizens will address the gathering and give their views. Everybody is invited to be present, as the question is one in which each and every resident has a deep interest.

AN ACT FOR THE INCORPORATION OF TOWNS AND VILLAGES IN THE TERRITORY OF NEW MEXICO, AND FOR OTHER PURPOSES. U. S. 55; Approved February 14, 1891.

Be it enacted by the Legislative Assembly of the Territory of New Mexico,

SECTION 1. When the inhabitants of a part of any county not embraced within the limits of any city or incorporated town in this Territory desiring to be organized into an incorporated town or village, they may apply by petition in writing, signed by not less than a majority of the qualified voters residents of the territory to be embraced in the proposed incorporated town or village, to the board of commissioners of the proper county, which petition shall describe the territory proposed to be embraced in such incorporated town or village, and have annexed thereto an accurate map or plat thereof.

SECTION 2. The territory embraced in said proposed incorporated town or village shall not be less than one mile square nor more than five miles square, excepted, also, the population embraced in such territory shall not be less than one hundred people.

SECTION 3. When any such petition as herein provided shall be presented to the board of commissioners, which must be at a regular meeting, the same shall be filed in their office until the next regular meeting, and then after due consideration, if the commissioners are satisfied with the validity and good faith of said petition and the signatures thereto, and upon the deposit of one hundred dollars for incidental expenses they shall cause the center of said proposed territory to be located by a permanent stone monument and the outer lines thereof by like stone monuments, so as to be easily determined by any one as to the limits of said incorporated town or village, and they shall forthwith issue an order to be entered upon their records, declaring said town or village to be an incorporated town or village from that date, for purposes provided in this act.

SECTION 4. It shall be the duty forthwith to call an election within said town or village so incorporated, to be held not less than thirty days from that date, nor more than sixty days, for the election of said commissioners, and the election shall be held at the center of said town or village.

SECTION 5. The qualifications for electors at said election shall be the same as those provided in this Territory for electors at the general elections held in this Territory, and no registration shall be required; but judges of election, to be appointed by commissioners, may require a sworn affidavit of any one applying to vote as to his qualifications, and any person swearing falsely shall be liable to all the penalties under the statute of this Territory for perjury.

SECTION 6. At the election herein provided there shall be elected a town marshal and a board of trustees composed of five members, which board shall be known as the board of town or village trustees.

SECTION 7. All towns and villages incorporated and organized under this act shall have the general powers and privileges and be subject to the rules and regulations granted and prescribed in the succeeding sections of this act, and the powers and authority here provided shall be vested in, exercised and put in force by the board of trustees herein provided.

SECTION 8. They shall have power by ordinance to prevent the injury or annoyance within the limits of the incorporation, from anything dangerous, offensive, or unhealthful or indecent, and cause any nuisance to be abated; to regulate the transportation and keeping of gun-powder and other combustibles and explosives, and to provide for license magazines for the same; to prevent and punish fast or immoderate riding or driving of horses through the streets; to establish and regulate markets; to provide for the measuring or weighing of hay, coal, or any other articles; to prevent any riot, noise, or disturbance, or disorderly assemblies; to suppress and restrain disorderly houses or houses of ill fame; and to protect generally property of the corporation and its inhabitants and preserve peace and order therein.

SECTION 9. They shall have power by ordinance to make regulations for the purpose of guarding against danger from accidents by fire, and on petition of the owners of two-thirds of the grounds included within any square or block to prohibit the erection thereon of any building or addition to any building unless the outer walls thereof be made of brick or other less combustible material, and provide for the removal of any building or buildings or additions erected contrary to such provision.

SECTION 10. They shall have the power by ordinance to provide a supply of water by the construction and regulation of wells, pumps, reservoirs, ditches, and to prevent the unnecessary waste and spreading or pollution of water within the corporate limits, and by ordinance may compel ditches to be so constructed and cared for as to prevent the streets or highways from being flooded or injured thereby, and they may go beyond their corporate limits and prevent or punish any pollution or fouling or injury to the streets or grounds of water which is supplied to said town.

SECTION 11. They shall have power by

ordinance to restrict and regulate the running at large of cattle, horses, swine, sheep, burros, or other animals within the limits of the town, and to authorize the restraining, care, impounding and sale of the same for the penalty incurred and costs of proceeding, to prevent the running at large of dogs and to authorize the destruction of the same when at large contrary to the provisions to that effect.

SECTION 12. They shall have power to regulate or prohibit the sale of horses or other domestic animals at auction in the streets, alleys or highways, to regulate all carts, wagons, drays, crows, omnibuses and other description of carriages that may be kept, and all houses of public entertainment, and to regulate by additional license the sale of intoxicating liquors, subject to the provisions of the law relating thereto.

SECTION 13. They shall have power to lay off, open, widen, straighten, vacate, extend, establish, improve, keep in order, repair and to light streets, alleys, public grounds, to open and construct, keep in order and repair sewers and drains, to enter upon and take for such of the above purposes as may be required land or material, and to assess and collect, as other assessments and collect taxes of taxes are made, on the lots or lands through or by which a street, alley or public highway may pass, for the purpose of defraying the expenses of constructing side-walks and improving, repairing, or lighting such street, alley, or public highway in such proportion as to them shall seem just and equitable.

SECTION 14. They shall also by ordinance have the power to lay a tax, just, proper, and equitable, upon all or a part of the property within the town or village, which tax shall be collected as other taxes are collected, for the purpose of defraying the expenses of improvements herein provided and of enforcing the ordinances which they may publish: Provided, That the taxes herein provided to be levied shall not exceed one-half of one per centum in any one year.

SECTION 15. They shall provide by ordinance all necessary regulations to protect growing trees and shrubs within the limits of the incorporation. They shall fix and determine by ordinance the compensation of the town marshal, which compensation shall not exceed fifty dollars per month. They may also, to carry out and enforce the ordinances, employ and properly compensate an attorney, to appear in any matter on behalf of the town or village in all matters in which said town or village may be interested.

SECTION 16. The board of trustees shall select a competent person for clerk of said board, prescribe his duties and fix his compensation, which shall not exceed twenty-five dollars per month.

SECTION 17. The justice of the peace of the proper precinct shall have jurisdiction of all violations of ordinances made and published by the board of trustees, under the provisions of this act.

SECTION 18. All acts and parts of acts inconsistent or in conflict with the provisions of this act are hereby repealed, and this act shall take effect and be in force on and after the 1st day of April, 1891.

AN ACT IN RELATION TO SPECIAL ASSESSMENTS BY MUNICIPAL CORPORATIONS. H. B. 145; Approved February 21, 1891.

Be it enacted by the Legislative Assembly of the Territory of New Mexico,

SECTION 1. The municipal corporations may assess for street improvements, such as paving, grading, curbing and other work done and material furnished therefor between side-walks and opposite sides of said streets, the whole or a portion of the costs of such improvements upon the lots and land adjoining said streets and especially benefited thereby, and the amount of such assessment shall be made, and shall be subject to the provisions of section 1655 of the Compiled Laws of New Mexico, 1888; and said assessments when levied shall create a lien upon such adjoining property, to be collected under the provisions of subsection 7b of section 1622 and section 1690 of said Compiled Laws.

SECTION 2. That all laws in conflict herewith are hereby repealed. This act shall take effect and be in force from and after its passage.

A Correction.

In last week's report of the public meeting called for the purpose of talking over the question of local incorporation, it was stated that it was the unanimous sense of those present that incorporation should be had at once. The fact was that opinions were somewhat diversified, and those in attendance was about divided on the subject—about half being in favor and half against.

A Deserter Arrested.

Constable McGilchey arrested a soldier named Puss, who had deserted from Fort Grant, last Wednesday afternoon. The deserter was found in company with the tramps among the tie piles along the Southern Pacific.

A detail of soldiers came over from Arizona on Thursday's train and returned with the prisoner the same afternoon.

Sudden Death.

Harry Kronich, a resident of Eds., died suddenly in this city last Friday of pneumonia. Deceased was aged about thirty years and as far as known had no relatives. Internment was made Monday in the cemetery east of the city.

Thanksgiving Service.

The Thanksgiving service will be held in St. Luke's church at 10 a. m. of that day.

Yesterday's Headlines.

Silver, 99 1/2; lead, 1.27 1/2.

THE BORDER TROUBLE

Latest Reports From the Revolution to the South.

MORMON COLONIES VISITED

Stock Taken From Colonies by the Temochians—Revolutionists Still Awaiting the Arrival of the Government Troops, Who Have Reached Union—Matters Quiet During the Week—Communication With the Interior Opened—What the Rebels Propose to do.

No important developments have presented themselves during the week in connection with the border trouble to the south.

The revolutionists have been seen from time to time in camp among the mountain ranges of the Boca Grande about twenty-five miles south of Las Palomas, but the pickets have not even attempted to stop persons passing by. The Mexican troops have reached Palomas and the colonies nearby but are apparently loath to march up to Asencion, fearing ambush in the Boca Grande country. Business has been resumed at Palomas and the excitement is rapidly disappearing. The United States troops are encamped at Columbus, on the American side, but everything is quiet. The soldiers have been provided with fifteen days' rations.

During the week sensational reports have been sent out from El Paso and Deming, stating that large numbers of Mexicans were joining the revolutionists, crossing the border in armed bands. The effect has been that the Mexican Minister at Washington asked the state department to enforce the neutrality laws, and troops were ordered out along the Texas border, as well as south of Deming.

The forces of the rebels number about two hundred, and their sole object appears to be to give battle to the troops, win a decisive victory and then assume the aggressive. The HEADLIGHT is in receipt of private information, stating that the rebels claim that one decisive victory will increase their forces to over one thousand men. They are very cautious and will not give battle to the troops, unless everything is in their favor.

The leaders of the disturbance have even gone so far as to arrange for a provisional government and the circulation of money.

The government I determined to quell the trouble at the outset and will devote its energies to scattering the band and then exterminating each individual member. Communication has been resumed with the interior. The report published that the Mormon colonies had suffered at the hands of the rebels turns out to be untrue. Even Asencion has escaped their depredations.

Consul Dominguez expresses the opinion that all trouble is over and that the rebels will be scattered and killed before Christmas.

LATER—A letter to the HEADLIGHT from Colonia Dublin, under date 22 inst. in the northern portion of the state of Chihuahua, received yesterday evening says that about a week ago twenty-five Tomachi Indians paid a visit to Casa de Juarez twenty-five miles northwest of Casa Grande relieving the ranch of two head of horses and a quantity of provisions. They were afterwards seen near Ramas fifteen miles from Casa Grande and the horses identified but they refused to let the horses go. Seventy Mexican Infantry arrived at Casa Grande Thursday and last proceeded with reinforcements from that town to the Tomachi where it is expected they will be a battle with the Indians tomorrow. They do not interfere with any one but when they want horses and provisions they take them and are endeavoring to get Mexicans to join them but meet with no success.

They held up two Mormon boys near Colonia Juarez, but let them go afterwards. The Indians are well armed and state they will die than surrender.

The Mexican officials have forced over fifty men employed in the Bahinal mining district to join the army now being raised to put down the rebels. An attempt was made to secure men in Asencion but only one was secured, all the able bodied hiding themselves in the mountains.

Christmas Novelties.

Jan Kee has opened a store on Silver avenue in which are kept all kinds of Chinese and Japanese novelties, as also a large stock of fine chinaware. Kee is making a specialty of Christmas novelties. See his new advertisement in another column.

"Patience" Will Likely Come.

The success of the opera "Patience," produced in Silver City last week was so pronounced that it will meet like success here about the middle of the month.

It is probable that it will be given for the benefit of the gymnasium fund.

Snow in the Mountains.

The recent cold snap caused slight fall of snow in the mountains of Grant county.